



THE BOMBAY CODE.

VOLUME III.

ACTS OF THE GOVERNOR OF BOMBAY IN COUNCIL FROM 1881.

N. B.—SECTIONS 3 TO 12 OF THE BOMBAY GENERAL CLAUSES ACT, 1886
(PRINTED *infra*, PAGES 91 *et seq.*), APPLY TO THESE ACTS.

BOMBAY ACT No. I of 1881.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 9th April, 1881.*)

An Act to amend the Bombay Port Trust Act, 1879.

Bom. VI of 1879.

[*NOTE.—The amendments made by this Act are incorporated in Bom. Act VI of 1879, as printed on pp. 377, *et seq.* of Vol. II of this Code.*]

BOMBAY ACT No. III of 1881.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 18th August, 1881.*)

An Act to further amend the Bombay Port Trust Act, 1879.

Bom. VI of 1879.

[*NOTE.—The amendments made by this Act are incorporated in Bom. Act VI of 1879, as printed on pp. 377, *et seq.* of Vol. II of this Code.*]

BOMBAY ACT No. IV of 1881.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 13th October, 1881.*)

An Act to provide for the appointment and maintenance of Village-officers in Sindh.

WHEREAS it is expedient to make provision for the appointment and maintenance of village-officers in the Province of Sindh; It is enacted as follows:—

1. This Act may be cited as the Sindh Village-officers Act, 1881.
It extends to the whole of the Province of Sindh.

Short title.
Extent.

“Village-officer” defined.

Appointment of village-officers.

Grant of hereditary office.

Village-police-officers.

Levy of cess for the purpose of this Act.

2. In this Act “village-officer” means any person appointed under this Act whose duty it is to collect, or to supervise the collection of, the revenue of a village or to perform Police-duties, or both, [^a] and includes Kotás or Tapedárs’ peons [^a].

3. Subject to the general orders of Government, the Commissioner in Sindh [^b] or other authority prescribed by rule under section 8 [^b] may from time to time—

- (a) appoint any person to be a village-officer, and
- (b) cancel any such appointment.

Every person so appointed shall hold office under such designation and for such period, and shall exercise his functions within such local area, as shall be prescribed by the said Commissioner.

4. The said Commissioner may, with the previous sanction of Government, confer the office of village-officer upon any person and his descendants hereditarily. When any office is so conferred, the succession thereto, and the right to officiate or to nominate an officiator, shall be determined under such rules as may from time to time be prescribed by Government in this behalf under section 8 of this Act.

5. Any village-officer may, if the Commissioner in Sindh so directs, be appointed by the Magistrate of the district to be village-police-officer, and in such capacity shall exercise all the powers and perform all the duties conferred and imposed by the Bombay Village Police Act, 1867 [^c], on a Bom. VIII of Police-patel, and when any such appointment is made, and so long as it continues, the provisions of the said Act and of the enactments by which it has been amended shall, with such exceptions, if any, as Government shall from time to time direct, be deemed to be in force in the local area to which such officer’s jurisdiction extends:

Provided always that no village-officer shall exercise any of the powers mentioned in sections 15 and 16 of the said Act, unless expressly empowered in this behalf by a commission duly issued to him under the said section 15.

6. [^d] For the purpose of defraying the salaries, emoluments and contingent expenditure of village-officers appointed under this Act, and of providing the pensions, gratuities or compassionate allowances, if any, payable to such officers on retirement, and of giving, with the sanction of the Commissioner in Sindh, occasional special rewards to headmen of villages and others, who have rendered good service towards the administration of the district, [^d] it

[^{a-a}] These words were added by Bom. Act II of 1888, s. 1.

[^{b-b}] These words were added by Bom. Act II of 1898, s. 2.

[^{c-c}] Printed in Vol. II of this Code, p. 120.

[^{d-d}] These words were substituted for the original words by Bom. Act II of 1888, s. 3.

(Secs. 7-8.)

shall be lawful for the Governor in Council, on the introduction or revision of a settlement, to levy a cess from all land in the Province of Sindh at a rate not exceeding one anna for every rupee of the amount at which such land is assessed, or, in the case of alienated land, at which, if it had not been alienated, such land would be assessed to the ordinary land-revenue.

The cess so leviable shall be included in, and levied as, one demand along with the land-revenue from the sum total of which it shall thereafter be deducted and applied to the purposes of this Act :

Provided always that, in the case of a village entirely alienated, the said cess shall be leviable only if a village-officer be appointed under the provisions of this Act for such village.

Explanation.—In this section “alienated” has the same meaning as in the Bombay Land-revenue Code, 1879 [a].

Bom. V
of 1879.

7. It shall not be competent to any village-officer appointed under this Act to mortgage, charge, lease or alienate any salary or other remuneration to which he may be entitled as such officer; and the Collector shall refuse payment of the salary, or of any portion thereof, to any person claiming the same in virtue of any such mortgage, charge, lease or alienation, and may withhold or resume any other remuneration assigned to the village-officer which has been so mortgaged, charged, leased or alienated.

Village-officer not to mortgage, charge, lease or alienate salary or other remuneration granted under this Act.

8. The Commissioner in Sindh may, with the previous sanction of Government, from time to time, make rules consistent with this Act—
Rules.

[b] (a) determining the duties of the different village-officers, and the authority by whom appointments of such officers may be made and cancelled;

[b] (b) fixing the salaries and other remunerations of village-officers, and regulating the payment of pensions, gratuities or compassionate allowances on retirement to such classes of them and under such conditions as may appear expedient;

(c) regulating the punishment, suspension and dismissal of village-officers;

[a] Printed in Vol. II of this Code, p. 303.

[b] These clauses were substituted for the original clauses (a) and (b) by Bom. Act II of 1888, s. 4.

Tolls on Roads and Bridges. [1881: Bom. Act V.

Jails. [1882: Bom. Act II.

Vaccination (Bombay City and Karáchi). [1882: Bom. Act III.

- (d) prescribing, in the case of hereditary village-officers, the order of succession, the authority by whom the right of succession shall from time to time be determined, the conditions under which the right of personal service will be admitted, and when and by whom a deputy may be appointed to officiate;
- (e) determining the circumstances under which any hereditary office may be forfeited or resumed; and
- (f) generally for carrying out the provisions of this Act.

BOMBAY ACT No. V or 1881.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 14th November, 1881.*)

An act to amend the law relating to Tolls on Roads and Bridges in the Presidency of Bombay.

[*Note.—The amendments made by this Act are incorporated in Bom. Act III of 1875 as printed on pp. 215 *et seq.* of Vol. II of this Code.*]

BOMBAY ACT No. II or 1882.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 29th March, 1882.*)

An Act to amend Bombay Act II of 1874.

WHEREAS it is expedient to abolish the fund called "The Civil Jail Fund" and to provide for the disposal of subsistence-money remaining in hand on the death or release of prisoners in the civil jail, and for this purpose to amend Bombay Act II of 1874; It is enacted as follows:—

[*Note.—The amendments made by this Act are incorporated in Bom. Act II of 1874 as printed on pp. 185 *et seq.* of Vol. II of this Code.*]

BOMBAY ACT No. III or 1882.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 29th March, 1882.*)

An Act to amend the Bombay and Karáchi Vaccination Acts.

[*Note.—The amendment made by this Act is incorporated in Bom. Acts I of 1877 and IV of 1879, respectively, as printed on pp. 247 *et seq.* and 282 *et seq.* of Vol. II of this Code.*]